

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
NEW ENGLAND  
ONE CONGRESS STREET, SUITE 1100, BOSTON, MA 02114-2023

**MEMORANDUM**

**FINAL DATE:** April 8, 2009

**SUBJ:** Section 1018 & 406(b) Inspections of Douglas Paulino

**FROM:** Ronnie Levin, Environmental Protection Scientist  
Alma Padilla, SEE Lead Inspector  
Toxics and Pesticides Unit, EPA

**THRU:** Sharon Hayes, Senior Enforcement Coordinator  
Nancy Barmakian, Manager  
Toxics and Pesticides Unit, EPA

**TO:** File

**I. General Information**

- A. Landlord: Douglas Paulino  
9-11 Orange Street  
Hartford, CT 06106
- B. Date of Inspection: April 6, 2009
- C. Personnel Participating in Inspection:  
Ronnie Levin, Environmental Protection Scientist, EPA  
Alma Padilla, SEE Lead Inspector, EPA  
Jorge Burgos, EPA  
Edwin Velez, Inspector, City of Hartford Health & Human Services  
Mark Aschenbach, Connecticut Department of Public Health  
Douglas Paulino, Owner/Landlord  
Laura Mejillones, girlfriend of Douglas Paulino

**II. Purpose of the Inspection**

This EPA inspection was conducted to document and verify compliance with Section 1018, the Real Estate Notification and Disclosure Rule ("Disclosure Rule") codified at 40 C.F.R. 745, Subpart F, and with Section 406(b), the Renovation of Target Housing Rule, codified at 40 C.F.R. 745, Subpart E ("Pre-Renovation Rule"). It was also conducted to determine if there is imminent danger to the health of children living in the properties.

12-14 Orange St (triple)  
43-45 Colonial (triple)  
356 Franklin (single - condo)  
76 Ellington St (single)  
105 Hebron (single) – vacant at the time of that meeting

A total of about 3 children with elevated blood lead levels lived at 43-45 Colonial St. and then at 9-11 Orange St., 2 of which are his own children.

While Inspectors Velez and Padilla went around the unit (1<sup>st</sup> floor) to test for lead and document the condition of the property by taking pictures (see attachment 3 for areas sampled), Inspector Levin asked to see leases and disclosure forms for all tenants. Mr. Paulino had only 2 tenants. EPA copied 2 leases and disclosure forms. According to Mr. Paulino, 12-14 Orange Street was foreclosed and 43-45 Colonial Street burned and has been vacant since 2007. (This is inconsistent with his statements to us on August 25, 2008.) The third floor of 9-11 Orange Street had been painted and is currently vacant. Laura Mejillones and her child, who are residing on the first floor, will be moving to the 3<sup>rd</sup> floor. Of the single family homes, only 1 was occupied: 105 Hebron Street, which was completely rehabbed and finished in November, 2008. Inspector Aschenbach asked Ms. Mejillones if her child has been tested for lead. She replied that he had been tested this past January and that the results came back “negative”. Inspector Padilla asked Mr. Paulino about his 2 older kids who tested positive for lead in ~2006, and he stated that both of them (now 4 & 6) are “fine”.

Inspector Velez tested 8 samples from 9-11 Orange Street, 1<sup>st</sup> floor. He had conducted the inspections on the 2<sup>nd</sup> and 3<sup>rd</sup> floors in August, 2008 (for which Hartford issued a Notice of Lead-Based Paint Violation on August 21, 2008), and will be sending the inspection reports to EPA, including all results from this inspection. Inspector Levin wanted samples from the exterior tested, but Inspector Velez stated that he knows the exterior of the building “is contaminated with lead” and that he had already informed Mr. Paulino about this. The abatement order addresses both interior and exterior surfaces, including soil of the property. The City of Hartford and the state of Connecticut have brought an action against Mr. Paulino, to be heard in Housing Court on April 14, 2009. Inspector Velez urged Mr. Paulino to contact him at his office to arrange a meeting before his housing court appearance date on April 14.

The inspection team went to 43-45 Colonial Street, to confirm that it was burned and currently vacant, and to 105 Hebron Street to do a lead clearance testing. Inspector Velez did some wipe tests on window sills and floors inside the newly renovated house (see attachment 3 for areas sampled).

## V. Record Review

The inspection team reviewed 2 leases and lead disclosure forms.

### Leases:

Address	Lessee	Date Lease Signed	Date DF Signed	Kids Y/N (dob)	Notes
105 Hebron St.	Gwendolyn Garay	11/21/08	10/28/08	Y	Section 8
11 Orange St., 2 <sup>nd</sup> fl	Blanca Maldonado	02/01/09	02/01/09	Y	

## VI. Closing Conference

An out-brief was conducted at approximately 1:00 p.m. to review compliance with the Disclosure and Pre-Renovation Rules. Inspector Levin noted that Mr. Paulino should request copies of the inspection reports from the city, and that these reports should be included in the DF, even after the units are abated and cleared. The reports should be listed in the DF, and copies given to tenants. Inspector Levin stressed the fact that tenants should get disclosure before they are obligated to rent the property.

Inspector Velez gave Mr. Paulino his business card and brochures about the city's lead program and urged him again to contact the department before his housing court appearance date on April 14. Inspector Aschenbach also gave Mr. Paulino his business card and again offered to meet Mr. Paulino at a later date and go over the Pre-Renovation Rule and the new RR&P Rule requirements in greater detail.

Inspector Levin explained the potential next steps. She reviewed and completed the *Receipt for Documents* form. Ms. Mejillones signed the form (attachment 4). The inspection team provided Mr. Paulino, Inspector Velez, and Inspector Aschenbach with photocopies of the *Notices of Inspection*, CBI and *Receipt for Documents* forms for their records.

The inspection team thanked Mr. Paulino and Ms. Mejillones for their courtesy and cooperation during the inspection. The inspection ended at about 1:30 p.m.

### Attachments:

1. *Notice of Inspection* forms (1018 and 406(b))
2. *TSCA Inspection Confidentiality* form
3. Locations of sampling and where pictures were taken
4. *Receipt for Documents* form